IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16175 of 2004

Between:

The Shah Zahoor Mussafir Khana, Vijayawada

Through its Managing Committee, rep. By

Its Secretary M.A.K.Jeelani Pasha

S/o. Mohd.Ibrahim, age 43 years, Occ:Business,

R/o.H.No.8-7-15, Ghouse Mohiuddin Street,

Wynchipet, Vijayawada District Krishna.

..... PETITIONER

AND

The Andhra Pradesh State Wakf Board,

Hyderabad rep. By its Chief Executive

Officer, Haj Complex, Nampally Road,

Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of Mandamus declaring the action of the respondent in not considering the representation dated

17-08-2004 and 25-08-2004 regarding extension the period of the Managing Committee of the Wakf property Shah Zahoor Mussafir Khana situated at Vijayawada Town, Krishna District is illegal, arbitrary, discriminatory unjust and violative of Articles 14 and 21 of the Constitution of India and extend the period of the Managing Committee.

Counsel for the petitioner: MR. M.T.GHORI

Counsel for the Respondent: MR. A. M.QURESHI (SC FOR WAKF BOARD)

The Court made the following :

ORDER:

This writ petition is filed by the petitioner seeking a declaration that the action of the respondent in not considering the representations made by it on 17-08-2004 and 25-08-2004 seeking extension of the period of the Managing Committee of the Wakf property of Shah Zahoor Mussafir Khana situated at Vijayawada town as arbitrary and illegal.

In the affidavit filed in support of the writ petition, it is stated that the term of the Managing Committee expired on 10-09-2004, and much prior to that, the petitioner made representations dated 17-08-2004 and 25-08-2004 seeking extension of their term, but, the same were not considered so far.

I have heard the learned counsel for the petitioner and the learned Standing counsel, Sri.A.M.Qureshi, appearing for the respondent.

Having regard to the facts and circumstances of the case, without expressing any opinion with regard to the entitlement of the petitioner for the extension of the term as sought by it, I deem it appropriate to dispose of the writ petition with a direction to the respondent to consider the representations of the petitioner dated 17-08-2004 and 25-08-2004 and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

14-09-2004

vs

To

1. The Chief Executive Officer, Andhra Pradesh State Wakf Board,

Haj Complex, Nampally Road,

Hyderabad.

2. Two CD copies.